

## REMARKS

This application has been carefully reviewed in light of the Office Action dated December 20, 2005. Claims 1 to 33 are pending in the application, of which Claims 1, 7, 12, 18, 23 and 26 are independent. Reconsideration and further examination are respectfully requested.

As an initial matter, Applicant objects to the Examiner's remarks in regard to the Restriction Requirement and an Information Disclosure Statement (IDS) previously submitted by Applicant. Specifically, the Examiner states "it seems curious that the IDS submitted by applicant contains no references to automatic image display. Therefore, it is likely that the applicant and/or attorney himself did not find it reasonable to search both classes of references." Based on the Examiner's remarks, it appears that the Examiner has erroneously construed Applicant's submission of an IDS as a representation that a search has been made. Applicant urges the Examiner to review M.P.E.P. § 609 which clearly states that submission of an IDS by an applicant should not be construed as such a representation. Furthermore, neither Applicant nor Applicant's representative have made any such representation. Therefore, Applicant respectfully requests that the Examiner acknowledge that Applicant has not made any representation that a search has been made in order to clarify the record in this application.

Claim 27 was rejected under 35 U.S.C. § 101 because the claimed invention is allegedly directed to non-statutory subject matter. Without conceding the correctness of the rejection, Applicant has amended Claim 27 to clarify that it is directed to a computer-readable storage medium. Accordingly, Applicant respectfully requests withdrawal of this rejection.

Claims 1, 2, 6, 12, 13 and 17 were rejected under 35 U.S.C. § 102(e) over U.S. Published Appln. No. 2001/0043340 (Murata). Claims 23 to 26 were rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 6,115,137 (Ozawa). Claims 3, 4, 14 and 15 were rejected under

35 U.S.C. § 103(a) over Murata. Claims 5 and 16 were rejected under 35 U.S.C. § 103(a) over Murata in view of “Canon Camera Story”. Claims 7 to 9, 10, 18 to 20 and 21 were rejected under 35 U.S.C. § 103(a) over Murata in view of Ozawa. Claims 11 and 22 were rejected under 35 U.S.C. § 103(a) over Murata in view of Ozawa, and in further view of “Canon Camera Story”. Reconsideration and withdrawal of these rejections are respectfully requested.

The present invention concerns an image processing apparatus that permits loading and unloading of a recording medium that stores image data so as to be readable by an external printer. The image processing apparatus is arranged so as to read out, from the recording medium, print setting items recorded by the external printer and analyzes the read-out print setting items, to set, in advance by the image processing apparatus, a print subject image and a print condition, and generates additional data relating to a print condition required upon printing by the printer based on the analyzed print setting items. The image processing apparatus may also be equipped with a printing unit and detachable recording medium and is arranged to set print control data and print subject image data processed in accordance with the print control data, on the recording medium.

Turning now to the claims, Claim 1 is directed to an image processing apparatus that permits loading and unloading of a recording medium that stores image data so as to be readable by an external printer. The image processing apparatus comprises an analysis unit that reads out, from the recording medium, print setting items recorded by the external printer and analyzes the read-out print setting items, to set, in advance by the image processing apparatus, a print subject image and a print condition onto the recording medium and a generation unit that generates additional data relating to a print condition required upon printing by the printer based on the print setting items analyzed by the analysis unit.

In contrast, Murata discloses print function information is loaded from a digital copy machine to a memory card and then subjected to setting processing by a printer driver (e.g., PC). The memory card on which the processed information is recorded is then loaded into the digital copy machine to effect printing. (See paragraphs [0072], [0092], [0095] and [0096] of Murata). More specifically, the PC has the printer driver software for the digital copy machine and this software is used to set a print function of the digital copy machine, to be recorded on the memory card. (See paragraph [0092] of Murata). However, the digital copy machine reads out the set print function from the memory card to copy, and an image to be read and copied is not read out from the memory card but set on the digital copy as an original. Therefore, Murata fails to disclose or suggest the recording medium on which print subject image data and set print condition are recorded as recited in each of the amended independent claims 1, 12, 23 and 26, and therefore does not disclose the image processing apparatus functioning together with the recording medium, as recited in those amended claims.

In light of the deficiencies of Murata as discussed above, Applicant submits that amended independent Claim 1 is now in condition for allowance and respectfully requests same.

Amended independent Claim 12 is directed to a method substantially in accordance with the apparatus of Claim 1. Accordingly, Applicant submits that Claim 12 is also now in condition for allowance and respectfully requests same.

Claim 23 is directed to an image processing apparatus that permits loading and unloading of a recording medium that stores image data so as to be readable by an external printer. The image processing apparatus comprises an analysis unit that receives print setting items transmitted from the external printer via wireless communication and analyzes the received print setting items, to set, in advance by the image processing apparatus, a print subject image

and a print condition onto the recording medium and a generation unit that generates additional data relating to a print condition required upon printing by the printer based on the print setting items analyzed by the analysis unit.

In contrast, Ozawa discloses a system in which a camera and a printer communicate with each other via wireless communication. The camera communicates with the printer to receive a print data forming software to set a print condition. The camera then sends the set print condition to the printer. In particular, the camera acquires the printer paper size information via the wireless communication link to set print conditions (See Ozawa, Fig.12, steps S72-72). However, Ozawa fails to disclose or suggest print setting items transmitted from the external printer via wireless communication and analyzing the received print setting items, to set, in advance by the image processing apparatus, a print subject image and a print condition onto the recording medium. Nor does Ozawa disclose or suggest a generation unit that generates additional data relating to a print condition required upon printing by the printer based on the print setting items analyzed by the analysis unit.

In light of the deficiencies of Ozawa as discussed above, Applicant submits that amended independent Claim 23 is now in condition for allowance and respectfully requests same.

Amended independent Claim 26 is directed to a method substantially in accordance with the apparatus of Claim 23. Accordingly, Applicant submits that Claim 26 is now in condition for allowance and respectfully requests same.

Claim 7 is directed to an image processing apparatus equipped with a printing unit that permits loading and unloading of a recording medium that is mountable on a digital camera and stores image data photographed by the digital camera. The image processing apparatus

comprises a recording unit that records print setting items according to a specification of the printing unit in the recording medium, an image processing unit that performs image processings on the image data according to the automatic print data read from the recording medium and a control unit that controls a printing process to be performed by the printing unit of the image data processed by the image processing unit based on the automatic print data recorded in the recording medium.

As discussed above, Murata discloses print function information is loaded from a digital copy machine to a memory card and then subjected to setting processing by a printer driver and the memory card is loaded into the digital copy machine to effect printing. In addition, as discussed above, Ozawa discloses a system in which a camera and a printer communicate with each other via wireless communication in order to set print conditions. However, neither Murata nor Ozawa, neither alone nor in combination, neither disclose nor suggest recording print setting items according to a specification of the printing unit, image processing according to the automatic print data read from the recording medium and a control unit that controls a printing process based on the automatic print data recorded in the recording medium.

In light of the deficiencies of Murata and Ozawa as discussed above, Applicant submits that amended independent Claim 7 is now in condition for allowance and respectfully requests same.

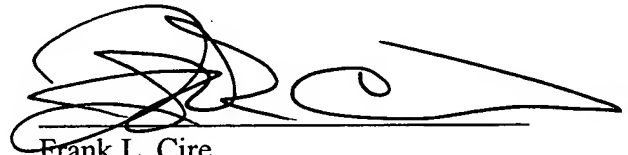
Amended independent Claim 18 is directed to a method substantially in accordance with the apparatus of Claim 7. Accordingly, Applicant submits that 18 is also now in condition for allowance and respectfully requests same.

The other pending claims in this application are each dependent from the independent claims discussed above and are therefore believed allowable for at least the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's undersigned attorney may be reached in our Costa Mesa, CA office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Frank L. Cire', written over a horizontal line.

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